

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Oleg Shikhman, et al.)
) Group Art Unit: 3734
Serial No.:	10/726,034)
) Examiner: Diane D. Yabut
Filed:	December 1, 2003)
) Confirmation No: 4728
For:	HANDLE ASSEMBLY FOR A)
	SURGICAL INSTRUMENT)
)

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Final Office Action dated August 1, 2007, and in conjunction with the concurrently filed Request for Continued Examination, the Applicants submit the following amendment and remarks for entry in the above-entitled application.

Amendment to the Claims:

The following listing of claims replaces all previous versions and listings of claims:

1. (Currently Amended) A handle assembly for a surgical instrument, the handle assembly comprising:

a trigger member, the trigger member movable in a proximal and distal direction;

a safety button, wherein the trigger member is not movable until the safety button is depressed;

a first side and a second side relative to the proximal and distal axis, the ~~trigger member~~ safety button slidable from the first side to the second side and from the second side to the first side.

2. (Cancelled)

3. (Previously Presented) The handle assembly of claim 1 wherein the safety button includes a pin having an engageable end and extending through either side of the handle assembly.

4. (Original) The handle assembly of claim 3 wherein the safety button includes a first pin extending through the first side and a second pin extending through the second side.

5. (Original) The handle assembly of claim 3 further comprising a spring surrounding the pin.

6. (Original) The handle assembly of claim 3 wherein the safety button includes at least two ribs, a gap separating each pair of adjacent ribs.

7. (Original) The handle assembly of claim 6 wherein the safety button includes a first side rib, a second side rib, and a middle rib, a first side gap located between the first side rib and the middle rib, and a second side gap located between the second side rib and the middle rib.

8. (Original) The handle assembly of claim 6 wherein the trigger member includes a safety button engaging member, wherein, if the engageable end of the pin of the safety button is not depressed, then the safety button engaging member of the trigger will abut a rib when an attempt is made to move the trigger, and further wherein, if the engageable end of the pin of the

safety button is depressed, then the safety button engaging member of the trigger will slide between a pair of adjacent ribs.

9. (Original) The handle assembly of claim 8 wherein the safety button engaging member is hook shaped.

10. (Original) The handle assembly of claim 4 wherein the safety button includes a first side rib adjacent the first pin, a second side rib adjacent the second pin, and a middle rib, a first side gap located between the first side rib and the middle rib, and a second side gap located between the second side rib and the middle rib.

11. (Original) The handle assembly of claim 10 further comprising a first spring surrounding the first pin and a second spring surrounding the second pin.

12. (Original) The handle assembly of claim 11 wherein the first side and the second side each include an opening for passing the first pin and the second pin, respectively, each opening including a pocket for seating the first spring and the second spring, each pocket having a greater diameter than a diameter of each opening.

13. (Previously Presented) The handle assembly of claim 1 wherein the trigger includes a spring receiving member, the handle assembly further comprising a trigger spring connected between the spring receiving member of the trigger and a protrusion within either the first side or the second side.

14. (Previously Presented) The handle assembly of claim 1 further comprising an adjustment screw positioned between the first side and the second side, the adjustment screw for adjusting length of a rod extending from a distal end of the handle assembly.

15. (Original) The handle assembly of claim 14 wherein the adjustment screw is only adjustable prior to securing the first side to the second side.

REMARKS

Claims 1 and 3-15 are pending in the instant application. Claims 1 and 3-15 have been rejected by the Examiner. Claim 1 has been amended. The Applicant submits that the claims are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

The amended claims relate to an improved safety device for a surgical device trigger. The design appears from either side to be a button that is depressible. When the button is depressed from either side, a member associated with the button slides inwardly to disengage the trigger.

The cited art relates more generally to safety devices for a surgical device trigger. The Hillstead reference (US 6,830,174) teaches a paddle like device that pivots forward to disassociate a pointed portion 272 from a hole 174 in the trigger. This reference does not teach a button device that slides from one side of the device to the other to disengage the trigger (side to side being properly interpreted as being to the side of the proximal/distal movement of the trigger).

The Nobis reference (US 5,137,198) teaches a similar pivoting member, which member physically blocks the path between the trigger and the back of the handle. Only by pivoting the block away can the trigger be pulled. As with the Hillstead reference, this reference does not teach a button device that slides from one side of the device to the other to disengage the trigger.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which the applicant deems to be the invention, it is respectfully requested that the claims be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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